

## STATEMENT OF BASIS

for draft Louisiana Pollutant Discharge Elimination System permit No.: LA0124516  
to discharge to waters of the State of Louisiana.  
AI No.: 164800 / Activity No.: PER20090001

THE APPLICANT IS: RTD Beverages, Inc.  
640 Magazine Street  
New Orleans, LA 70130

THE FACILITY IS: RTD Beverage Plant  
72070 Highway 1077  
Covington, St. Tammany Parish

ISSUING OFFICE: Louisiana Department of Environmental Quality (LDEQ)  
Office of Environmental Services  
Post Office Box 4313  
Baton Rouge, Louisiana 70821-4313

PREPARED BY: Bonnie Wascom

DATE PREPARED: April 29, 2009

1. PERMIT STATUS

- A. LPDES permit – NA  
LPDES permit effective date: NA  
LPDES permit expiration date: NA
- B. LWDPS permit – NA  
LWDPS permit effective date: NA  
LWDPS permit expiration date: NA
- C. Date Application Received: January 20, 2009, completed April 28, 2009

2. FACILITY INFORMATION

- A. FACILITY TYPE/ACTIVITY – beverage bottling facility

This proposed facility will bottle water and tea. The process lines and equipment will be flushed and rinsed with acid, alkaline cleaners, sanitizers, and water before the bottling process begins each day. The lines will also be flushed when the product being bottled is changed. All sanitary wastewater generated at this facility will be collected and treated by the parish municipal sewage system.

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B. FEE RATE

1. Fee Rating Facility Type: minor
2. Complexity Type: II
3. Wastewater Type: II
4. SIC code: 2086

C. LOCATION - 72070 Highway 1077  
Covington, St. Tammany Parish  
Latitude +30° 28' 34", Longitude -90° 11' 13"

3. OUTFALL INFORMATION

Outfall 001

**Discharge Type:** process line cleaning wastewater

**Treatment:** pH adjustment

**Location:** at the point of discharge north of the warehouse prior to mixing with other waters

**Flow:** 20,000 GPD

**Discharge Route:** to the Stanga Road roadside ditch, thence to the Soap and Tallow Branch

**NOTE:** The facility's SIC code, 2086, is listed in the storm water regulations under LAC 33:IX.2341.B.14.a-k. However, all industrial activities take place inside the warehouse and all materials are stored inside the warehouse; therefore, this facility does not require storm water permit coverage.

4. RECEIVING WATERS

**STREAM – Outfall 001 –** by pipe to the Stanga Road roadside ditch, thence to the Soap and Tallow Branch

**BASIN AND SEGMENT –** Lake Ponchartrain – Subsegment 040801

**DESIGNATED USES -**

- a. Primary contact recreation
- b. Secondary contact recreation
- c. Propagation of fish and wildlife
- d. Outstanding Natural Resource Water

Outstanding Natural Resource Water is listed as a designated use of subsegment 040801 (Tchefuncte River – from headwaters to Bogue Falaya River; includes tributaries). During the preparation of this permit, it has been determined that this discharge will have no adverse impact on the existing uses of the receiving water body. As with any discharge, however, some change in existing water quality may occur.

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5. EXISTING EFFLUENT LIMITS

Facility not previously permitted.

6. PROPOSED EFFLUENT LIMITS

BASIS = See rationale below.

7. COMPLIANCE HISTORY/COMMENTS

A. Compliance History

There are no inspections on file as of **April 29, 2009**. There are no open, appealed, or pending OES enforcement actions as of **April 29, 2009**. There is no EPA enforcement history on file as of **April 29, 2009**.

B. DMR Review/Excursions

No DMRs on file. Facility not previously permitted.

8. ENDANGERED SPECIES

The receiving waterbodies and proposed discharge are not listed in Section II.2 of the Implementation Strategy as requiring consultation with the U.S. Fish and Wildlife Service (FWS). This strategy was submitted with a letter dated November 17, 2008 from Rieck (FWS) to Nolan (LDEQ). Therefore, in accordance with the Memorandum of Understanding between the LDEQ and the FWS, no further informal (Section 7, Endangered Species Act) consultation is required. The effluent limitations established in the permit ensure protection of aquatic life and maintenance of the receiving water as aquatic habitat. Therefore, the issuance of the LPDES permit is not likely to have an adverse effect on any endangered or candidate species or the critical habitat.

9. 303 (d) LISTED WATERBODIES

Subsegment 040801, Tchefuncte River – from headwaters to Bogue Falaya River; includes tributaries is listed on LDEQ's Final 2006 303(d) List as impaired for mercury and pathogen indicators. To date no TMDLs have been completed for these waterbodies. A reopener clause will be established in the permit to allow for the requirement of more stringent effluent limitations and requirements as imposed by a TMDL. Until completion of TMDLs for the Lake Pontchartrain Basin, those suspected causes for impairment, which are not directly attributed to the beverage bottling point source category have been eliminated in the formulation of effluent limitations and other requirements of this permit. Additionally, suspected causes of impairment which could be attributed to pollutants which were not determined to be discharged at a level which would cause, have the reasonable potential to cause or contribute to an excursion above any present state water quality standard were

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also eliminated. The discharge from this facility does not include sanitary wastewater, therefore; the discharge from this facility does not have the potential to contribute to the pathogen indicator impairments. This facility is not expected to cause or contribute to the mercury impairment.

10. HISTORIC SITES

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The discharge will be from a new facility. LDEQ has consulted with the State Historic Preservation Officer (SHPO) in a letter dated January 23, 2009 to determine whether construction-related activities could potentially affect sites or properties on or eligible for listing on the National Register of Historic Places. SHPO's response, dated February 26, 2009 stated that the facility as proposed will have no potential effects.

11. TENTATIVE DETERMINATION

On the basis of preliminary staff review, the Department of Environmental Quality has made a tentative determination to issue a permit for the discharge described in the application.

12. PUBLIC NOTICES

Upon publication of the public notice, a public comment period shall begin on the date of publication and last for at least 30 days thereafter. During this period, any interested persons may submit written comments on the draft permit and may request a public hearing to clarify issues involved in the permit decision at this Office's address on the first page of the statement of basis. A request for a public hearing shall be in writing and shall state the nature of the issues proposed to be raised in the hearing.

Public notice published in:

Local newspaper of general circulation  
Office of Environmental Services Public Notice Mailing List

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### Rationale for RTD Beverage Plant

#### 1. Outfall 001 – process line cleaning wastewater

Parameter	Limitation* Mo. Avg.: Daily Max.	Reference
Flow	Report : Report (GPD)	LAC 33:IX.2361.I.1.b
COD	---: 300 mg/L	Similar discharges (BPJ)
TSS	---: 45 mg/L	Similar discharges (BPJ)
pH	6.0 s.u. (min.) – 9.0 s.u. (max.)	Similar discharges (BPJ)

**Treatment:** pH adjustment

**Monitoring Frequency:** Once per month for all pollutants at the point of discharge north of the warehouse prior to mixing with other waters. Soaps and/or Detergents: document in an inventory record monthly the quantity and type of any Soap and/or Detergent used during each calendar month.

**\*Limits Justification:** For all parameters, limits and monitoring frequencies are based on similar discharges. Since color is a concern associated with tea products, color requirements will be included in this permit in accordance with LAC 33:IX. 1113.B.2.

BPJ Best Professional Judgment  
GPD Gallons per Day  
s.u. Standard Units

#### NOTE:

For outfalls containing concentration limits, the usage of concentration limits is based on BPJ for similar outfalls since the flow is variable and estimated.

#### Monitoring Frequency

Please be aware that the Department has the authority to reduce monitoring frequencies when a permittee demonstrates two or more consecutive years of permit compliance. Monitoring frequencies established in LPDES permits are based on a number of factors, including but not limited to, the size of the discharge, the type of wastewater being discharged, the specific operations at the facility, past compliance history, similar facilities and best professional judgment of the reviewer. We encourage and invite each permittee to institute positive measures to ensure continued compliance with the LPDES permit, thereby qualifying for reduced monitoring frequencies upon permit reissuance. If the Department can be of any assistance in this area, please do not hesitate to contact us. As a reminder, the Department will also consider an increase in monitoring frequency upon permit reissuance when the permittee demonstrates continued non-compliance.